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November 22, 2023

**VIA ECF**

The Honorable Andrew L. Carter, Jr., U.S.D.J.  
 United States District Court  
 Southern District of New York  
 40 Foley Square, Room 435  
 New York, NY 10007

**MEMO ENDORSED**

Re: *Malcolm v. The City of New York*  
 20-cv-09641(ALC)

Dear Judge Carter:

This letter is submitted on behalf of the parties to request an extension of the November 27, 2023 deadline to submit a proposed case management plan.

On August 4, 2023 the Court referred the parties to mediation. *See Docket Entry 141.* The mediation was originally scheduled for October 25, 2023 before Darren Rumack, Esq. Docket Entry dated August 24, 2023. While Plaintiffs were prepared to move forward with the mediation, the DOC advised that it needed additional time to procure certain documents and for its expert to finalize his calculations. To that end, the mediation was adjourned until December 12, 2023. Docket Entry dated October 25, 2023. In light of the adjournment, the parties request that the deadline to submit their case management plan be extended until January 12, 2024.

The original deadline was July 1, 2023. It has been adjourned three times, all as a result of the DOC needing to produce data, obtain data or undertake calculations. All prior requests were granted. The instant request is on consent of all parties.

Respectfully submitted,  
 Law Office of Paul A. Pagano, P.C.

By: Paul Pagano

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*SO ORDERED:*  
**Andrew L. Carter, Jr.**  
 HON. ANDREW L. CARTER, JR.  
 UNITED STATES DISTRICT JUDGE

Dated: November 21, 2023

New York, NY

cc: All Counsel of Record (VIA ECF)